



FRW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Federspiel, *et al.*

Attorney Docket No.: AG03-071C

Application No.: 10/697,787

Filed: October 29, 2003

For: GENERATION OF PLANTS WITH
IMPROVED PATHOGEN RESISTANCE
AND DROUGHT TOLERANCE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, this Information Disclosure Statement is being submitted for the above-referenced application.

Applicant requests the Office to consider this Information Disclosure Statement under 37 C.F.R. §1.97 (b)(2) and states that the information contained in the attached PTO Form 1449 was first cited in the International Search Report (copy attached) from the International Searching Authority in the counterpart PCT application.

In accordance with §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined by 37 CFR §1.56 exists.

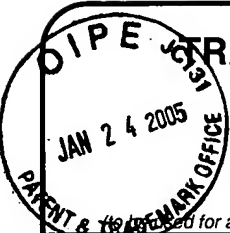
In accordance with §1.97(h), the disclosure contained herein is not intended to constitute an admission that any patent, publication, or other information referred to is "prior art" or "analogous art" for this invention.

It is believed that no fees are required, as the disclosure is delivered within three months of the date of entry of the national stage. However, the Commissioner is authorized to charge any required fees, to deposit account no. 50-1108.

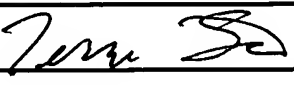
Respectfully submitted,

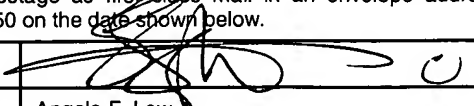
Dated: January 21, 2005

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	Application Number	10/697,787	
	Filing Date	October 29, 2003	
	First Named Inventor	Federspiel	
	Art Unit	1638	
	Examiner Name	Not known	
Total Number of Pages in This Submission	73	Attorney Docket Number	AG03-017C

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Exelixis, Inc.		
Signature			
Printed Name	Terri Sale		
Date	January 21, 2005	Reg. No.	45,066

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Signature			
Typed or printed name	Angela F. Law	Date	January 21, 2005

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number

10/697,787

Filing Date

October 29, 2003

First Named Inventor

Federspiel

Unit

1638

Examiner Name

Not known

Attorney Docket Number

AG03-071C

PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

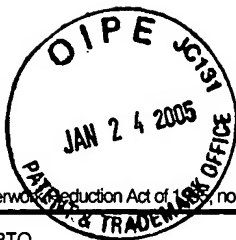
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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	10/697,787
Filing Date	October 29, 2003
First Named Inventor	Federspiel
Art Unit	1638
Examiner Name	Not known
Attorney Docket Number	AG03-071C

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	LIN,X., et al., "Arabidopsis thaliana chromosome 1 BAC F22H5 genomic sequence, complete sequence.", Genbank GI No. 12331602 [online], 22-JAN-2001 [retrieved 1/14/05]. Retrieved from the Internet:<URL:http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?CMD=Display&DB=nucleotide>	
	2	RUSHTON,P.J., et al., "Synthetic plant promoters containing defined regulatory elements provide novel insights into pathogen- and wound-inducing signaling.", Plant Cell, Apr 2002, 749-62, 14.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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